

MINUTES

REGULAR MEETING OF COUNCIL

October 13, 2009

Call to Order

Mayor Ronald A. D'Epifanio called the Regular Meeting of Council to order at 7:00 p.m. at the Fairfield Municipal Building, 5350 Pleasant Avenue.

Roll Call

Clerk Johns called the roll of Council. Present members were Councilmember Snyder, Councilmember Rhodus, Councilmember Senger, Councilmember Abbott, Councilmember Meyers, and Councilmember Oler. Councilmember Meyers, seconded by Councilmember Snyder, moved to excuse Councilmember Judd. Motion Carried 6-0.

Prayer & Pledge

Councilmember Snyder led in prayer followed by the Pledge of Allegiance.

Special Presentations and Citizen Comments

Mayor D'Epifanio presented a proclamation to Fairfield resident Cliff Retzsch for his assistance in a recent situation involving a lost child. Mr. Retzsch was also recognized for the assistance he continues to give to his neighbors.

Keith Davis, 1853 Vernon Place, discussed his concern with the damage and theft of political signs that have occurred.

Ralph Hudak, 1031 Wesleyan Drive, expressed his desire to see more local labor be included in the bid contracts. Mayor D'Epifanio responded that this will be taken under advisement to see where we are legally. He further expressed Council's support of local business.

Will Arledge, 2210 Rolling Hills Boulevard, commented on development and rezoning of the Rolling Hills Swim Club. He questioned what is being developed and how it will affect the property values of the existing homes and who is developing the property. Councilmember Rhodus suggest Mr. Arledge attend the public hearing on October 26 or Planning Commission meeting on October 28. Councilmember Snyder suggested Mr. Arledge check with the Planning Department regarding any plans or drawings that may be available prior to the meeting.

Marilyn Ruwe, 5626 Kingsbury Road, asked for the hours of operation for the Planning Department. Councilmember Snyder commented the Municipal Building is open Monday through Friday from 8:00 a.m. to 5:00 p.m.

Clare Schneider, President of Rolling Hills Swim Club, stated she has the plans and brochure from the developer.

Mayor/Council Reports

Mayor D'Epifanio congratulated Pastor Rosenbalm from Fairfield West Baptist Church on the church's recent major renovations.

Councilmember Snyder commented Stacy Bacon suffered brain damage in 1996 and brother Scott suffered brain damage in 2003. Friends of Stacey and Scott golf outing has been postponed until spring 2010. He thanked the Journal News for honoring individuals as part of Breast Cancer Awareness Month.

Councilmember Meyers commented on the recent Harbin Park Mountain Bike Race. He stated there have been several negative comments about it because it was wet. He explained there were well over 500 riders and well over 1,000 people who came into the City, which means revenue through hotels, restaurants and so forth. Councilmember Meyers asked that this be discussed at the next Parks Board meeting to see what we can do in regard to the damage and being more proactive. Councilmember Rhodus commented there were people from all over the country. He stated he heard over and over again that the facility was number one in the country.

Councilmember Abbott commented we will be taking advantage of some attractive bond rates to refinance some bonds for the Aquatic Center and the Justice Center. He thanked staff and Council for their efforts to continue to cut expenses where we can.

Councilmember Oler commented on the Youth Summit held at the Freshman Building last week to spread the message of anti-drug use. He recognized their efforts and gave special thanks to Pat VanOfen for allowing this to take place. Councilmember Oler also commented on the new traffic signal update and stressed the importance of signal programming.

Councilmember Senger commented on a recent Tax Incentive Review Council meeting to review all 38 tax incentive agreements with local businesses; only four were modified and eight came to completion.

Approval of Minutes

The minutes from the Regular Meeting of September 28, 2009 were approved as written.

OLD BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Income Tax Administration Agreement: Councilmember Senger deferred third reading of this ordinance to allow the JEDD Board to complete their action tomorrow evening.

Patterson Drive Redevelopment Easement: Councilmember Senger presented the second reading of an Ordinance to authorize the City Manager to execute a Patterson Drive Redevelopment Easement Agreement with Neyer Properties Acquisitions Ltd. and Fair Plaza LLC. Ordinance approved for second reading only.

North Town Center Community Reinvestment Area: Councilmember Senger presented the second reading of an Ordinance implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of the North Town Center Community Reinvestment Area in the City of Fairfield, Ohio, designating a housing officer to administer the program, and creating a Community Investment Housing Council and a Tax Incentive Review Council. Ordinance approved for second reading only.

FINANCE & BUDGET COMMITTEE

Ordinance repealing and amending sections of Ordinance No. 166-84: Councilmember Abbott presented the third reading of an ordinance to repeal sections 143.04 and 143.08 and to amend sections 145.01, 145.02, 145.04 and 145.05 of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, relative to the City Civil Service Ordinances pursuant to § 8.04 (E) of the Fairfield City Charter. Councilmember Abbott, seconded by Councilmember Rhodus, moved for adoption. ORDINANCE NO. 123-09 ADOPTED 6-0.

PARKS & RECREATION COMMITTEE

Aquatic Center Spray Ground: Councilmember Meyers presented the second reading of an Ordinance to authorize the City Manager to enter into an agreement with Robert P. O'Brien Enterprises, Incorporated DBA Shamrock Enterprises for the construction of the Fairfield Aquatic Center Spray Ground. Councilmember Meyers stated he has received several phone calls and emails on this piece of legislation. He stated the Aquatic Center is a fantastic asset to the City and is actually a revenue maker. He further commented it sees over 40,000 visitors per year. He asked what the plan is for fixing the temperature issue for the pool and will it be done in concurrence. City Manager Pizzano explained the heater has been in the budget, the only reason it was not replaced this last summer is because we could not shut the pool down in the middle of summer and the part needed to be special ordered. He further explained they can both happen concurrently. Ordinance approved for second reading only.

NEW BUSINESS

DEVELOPMENT SERVICES COMMITTEE

Creekside Manor Planned Unit Development: Background: City Manager Pizzano introduced an ordinance approving a concept plan for what is known as Creekside Manor Planned Unit Development. He further commented it is a sixteen single family detached housing development on five acres proposed to be adjacent to the Rolling Hills Subdivision Swim Club property. Mr. Pizzano stated not shown on the agenda in addition to first reading is scheduling a joint public hearing for October 26, 2009. Legislative Action:

Councilmember Senger, seconded by Councilmember Meyers, moved to read the following ordinance by title only. Motion Carried 6-0. Councilmember Senger presented the first reading of an ordinance amending Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio, Section 1141.02, The City of Fairfield, Ohio, Zoning Map by approving the concept plan for the Creekside Manor Planned Unit Development. Ordinance approved for first reading only. Councilmember Senger scheduled the Joint Public Hearing for October 26, 2009 at 7:00 PM. Councilmember Rhodus briefly discussed the process for the public hearing and planning commission.

PUBLIC SAFETY COMMITTEE

Liquor Permit: Legislative Action: Councilmember Oler, seconded by Councilmember Meyers, moved that no hearing be held on the liquor permit application in the name of Green Plantain LTD., 6679 Dixie Hwy. Ste. G, Fairfield, OH 45014 (Permit Class: D2). Motion Carried 6-0.

FINANCE & BUDGET COMMITTEE

Reading's (5) by Title Only: Councilmember Abbott, seconded by Councilmember Rhodus, moved to read the following five ordinances by title only. Motion Carried 6-0.

Court Computer Fund: Background: City Manager Pizzano recommended an appropriation of additional monies to the court through its computer fund for an additional \$10,000 for computer software support. He explained the Court does fund this through their own revenue generating budget and sufficient funds are available, but an appropriation is necessary. Legislative Action: Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2009, and ending December 31, 2009." Background: City Manager Pizzano explained the following non-contractual appropriation: \$10,000 for other professional services. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 124-09 ADOPTED 6-0.

Golf Course Improvement Notes: Background: City Manager Pizzano recommended the refinancing of bonds for the Golf Clubhouse. He explained this is an opportunity to take advantage of low interest rates. Legislative Action: Councilmember Abbott presented the first reading of an Ordinance providing for the issuance of not to exceed \$1,500,000 of bonds by the City of Fairfield, Ohio, for the purpose of permanently financing Golf Course Improvement Notes, authorizing an official statement, and declaring an emergency. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Meyers, moved for adoption. ORDINANCE NO. 125-09 ADOPTED AS AN EMERGENCY 6-0.

Municipal Court – Police Services Project Note: Background: City Manager Pizzano recommended refinancing short term notes to long term bonds for the Justice Center Building. Legislative Action: Councilmember Abbott presented the first reading of an Ordinance providing for the issuance of not to exceed \$5,000,000 of bonds by the City of Fairfield, Ohio, for the purpose of permanently financing Municipal Court – Police Services Project Note, authorizing an official statement, and declaring an emergency. Councilmember Abbott, seconded by Councilmember Oler, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 126-09 ADOPTED AS AN EMERGENCY 6-0.

Permanently financing of Golf Course Notes and Municipal Court – Police Services Project Notes: Background: City Manager Pizzano recommended the final step to take advantage of the lower interest rates on a long term bond we have been financing under short term notes. Legislative Action: Councilmember Abbott presented the first reading of an Ordinance providing for the issuance of not to exceed \$6,500,000 of bonds by the City of Fairfield, Ohio, to permanently finance Golf Course Notes and Municipal Court – Police Services Project Notes, and declaring an emergency. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 127-09 ADOPTED AS AN EMERGENCY 6-0.

2009 Budget Amendments (Non-Contractual Items): Legislative Action - Councilmember Abbott presented the first reading of an ordinance to amend Ordinance No. 161-08 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2009, and ending December 31, 2009." City Manager

Pizzano explained the following non-contractual appropriation: \$8,500 for tree plantings as part of 2009 Neighborhood Improvement/Re-Investment Program. Councilmember Abbott, seconded by Councilmember Meyers, moved to suspend the rules requiring three readings of the ordinance. Rules Suspended 6-0. Councilmember Abbott, seconded by Councilmember Oler, moved for adoption. ORDINANCE NO. 128-09 ADOPTED 6-0.

Meeting Notices

Monday, October 26 C/M Briefing, 6:00 p.m.; Regular Meeting and Joint Public Hearing, 7:00 p.m.
Monday, November 9 C/M Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

Adjournment

Councilmember Senger, seconded by Councilmember Abbott, moved to adjourn. Motion Carried 6-0. The Regular Meeting adjourned at 7:40 p.m.

ATTEST:

Clerk of Council

Mayor's Approval

Date Approved _____